

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: N. Simons et al. Attorney Docket No.: MSFT120206
Application No.: 10/658,943 Art Unit: 2178 / Confirmation No: 3530
Filed: September 10, 2003 Examiner: S. Termanini
Title: SYSTEM AND METHOD FOR PROCESSING FEATURED CONTENT

RESPONSE

Seattle, Washington 98101

December 6, 2007

TO THE COMMISSIONER FOR PATENTS:

Applicants respectfully request that the above-identified application be re-examined.

Initially, applicants' undersigned attorney wishes to thank Examiner Termanini for the courtesy shown during a telephone conference on November 14, 2007. As discussed during the telephone conference, applicants submit that the Office Action mailed September 7, 2007, designated a "final" Office Action, was premature. M.P.E.P. 706.07(a) states: "Under present practice, second or any subsequent actions on the merits shall be final except where the Examiner introduces a new ground of rejection that is neither necessitated by applicant's amendment to the claims nor based on" In this application, the response to the first Office Action made only minor amendments to the claims. Specifically, Claims 1, 14, and 20 were amended to clarify that the term "featured content" related to items having information focused on specific topic and that certain actions, namely, the generation of a database query, occurred without user input. These relatively minor amendments resulted in the citation of an entirely new reference and an entirely new rejection in the Office Action. As a result, applicants respectfully submit that the finality of the Office Action was premature and request that the finality be withdrawn if this application is not allowed as a result of this submission.

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESSSM
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

The September 7, 2007, Office Action (hereinafter "Office Action") rejected all of the claims remaining in this application, namely, Claims 1-12, 14-18, and 20-23, as fully anticipated by the teachings of U.S. Patent No. 7,100,115 ("Yennaco"). Applicants respectfully disagree.

Pursuant to 37 C.F.R. § 1.111, and for the reasons set forth below, applicants respectfully request reconsideration and allowance of the pending claims. Prior to discussing in detail why applicants believe all of the claims remaining in this application are allowable, a brief description of the disclosed subject matter and a brief description of the cited and applied reference (Yennaco) are provided. The following discussion of the disclosed subject matter and the cited and applied reference are not provided to define the scope or interpretation of any of the claims in this application. Instead, these discussions are provided to help the U.S. Patent and Trademark Office better appreciate important claim distinctions discussed thereafter.

Disclosed Subject Matter

The present application discloses downloading, caching, and displaying featured content items, i.e., information items focused on a specific topic, from a dynamically updatable database of featured content items.

Disclosed is a computer-implemented method for processing featured content. A database query for featured content items is generated without user input. The featured content items, as noted above, have information focused on a specific topic. Featured content items received in response to a database query are stored in memory. Then, a predetermined number of featured content items are selected from the featured content items stored in memory. The selected featured content items are stored in a system registry.¹ In response to receiving a

¹ A system registry is a central, hierarchal database that Windows-type operating systems ("OS") use to store information about the computer configuration. The system registry keeps the data to which a Windows-type OS

command from a software application to display at least one featured content item, without user input, the featured content item is retrieved from the system registry and displayed on a graphical user interface.

Also disclosed is a computer-implemented method of displaying featured content in a hypertext document, the featured content items having information focused on a specific topic. In response to receiving a request for a hypertext document containing information that describes a topic, without user input, a database query is generated for featured content items. The query is configured with an identifier associated with the topic. Featured content items received in response to the database query are tested to determine if the number of received featured content items is greater than a predetermined number of featured content items. If the number of received featured content items is greater than the predetermined number of featured content items, the hypertext documents are formatted to include at least one featured content item for display. The formatting is such that the hypertext document item is displayed with the contents of the hypertext document.

Also disclosed is a method for updating a database of featured content items, the featured content items having information focused on a specific topic. Each featured content item of the database includes an attribute that indicates if the featured content item is of interest or not of interest. The method comprises determining, without user input, if a featured content item has expired. The method also determines, without user input, if the featured content item is highly rated. If the featured content has expired, the attribute is modified to indicate that the featured

continually refers during operation, such as profiles for each user, the applications installed on the computer and the type of documents each can create, the properties of folders and program icons, the configuration of OS drivers, and information about used ports. See <http://support.kaspersky.com/faq/?qid=208279334> for more detail.

content is not of interest. If the featured content item has not expired and if the featured content item is highly rated, the attribute is modified to indicate that the featured content item is of interest.

U.S. Patent No. 7,100,115 (Yennaco)

Yennaco discloses a method and apparatus for providing computer-based help. More specifically, a method of managing context-sensitive help data for a computer system is purportedly disclosed by Yennaco. In one exemplary form shown in Fig. 6, a cache 152 includes a designated datafield 160 for storing help data that is currently being displayed. The cache 52 also includes a datafield for storing the registry 170 of help identifiers that are related to each other. The registry includes a list of help data identifiers 156 corresponding to components 140 that are considered to be related to each other in that if the user refers to one of the components, it is likely that the user will also refer to one of the related components. Thus, when the help data having an identifier in the registry 170 is first rendered, the help data corresponding to the other identifiers of the registry is loaded in the cache 152 from memory that has an access time that is greater than that of the cache 152, such as from remote memory 156 (Col. 7, lines 38-51).

While Yennaco describes the use of a registry, the registry is not a system registry. Rather, it is a registry stored in cache that includes data identifiers. A cache manager 66 processes each help data identifier 172 in the registry 170 to retrieve the help data associated with each help data identifier from the memory location where it is stored, such as remote memory 36 (Col. 8, lines 55-58). Even if the Yennaco registry is equated to a system registry, which applicants deny, Yennaco's "registry" does not store featured items for display. Rather, it stores identifiers that, in effect, point to the location of help items. Yennaco does not disclose retrieving featured content memory stored in a system registry and displaying the featured content items on a graphical user interface.

Argument

Claim 1 reads as follows:

A computer-implemented method for processing featured content, the method comprising:

generating, without user input, a database query for featured content items, the featured content items having information focused on a specific topic;

receiving featured content items in response to the database query;

storing the featured content items in memory;

selecting a predetermined number of featured content items from the featured content items stored in memory;

storing the selected featured content items in a system registry; and

in response to receiving a command from a software application to display at least one featured content item, without user input, retrieving featured content items stored in the system registry and displaying the featured content items on a graphical user interface. (Emphasis added.)

As will be readily appreciated from the foregoing discussion of Yennaco, Yennaco does not disclose the highlighted portions of Claim 1, namely, "selecting a predetermined number of featured content items from the featured content items stored in memory" and "storing the selected featured content items in a system registry." Since Yennaco does not disclose storing selected featured content items in a system registry, obviously Yennaco does not disclose "in response to receiving a command from a software application to display at least one featured content item without user input, retrieving featured content item stored in the system registry and displaying the featured content items on a graphical user interface." As a result, applicants respectfully submit that Claim 1 and all of the remaining claims in this application dependent from Claim 1 (2-12) are clearly allowable.

Claim 14 reads as follows:

A computer-implemented method of displaying featured content items in a hypertext document, the featured content items having information focused on a specific topic, the method comprising:

in response to receiving a request for a hypertext document containing information that describes a topic, generating, without user input, a database query for a number of featured content items, wherein the query is configured with an identifier associated with the topic;

receiving featured content items in response to the database query;

determining if the number of received featured content items is greater than a predetermined number of featured content items; and

if the number of received featured content items is greater than the predetermined number of featured content items, formatting said hypertext document to include at least one featured content item for display, the hypertext document being formatted to display the data of the featured content item with the contents of the hypertext document. (Emphasis added.)

While Yennaco purportedly discloses accessing hypertext documents, Yennaco does not disclose the highlighted portions of Claim 14, particularly when considered as a whole. In particular, Yennaco does not disclose determining if the number of received featured content items is greater than a predetermined number of featured content items and, if the number of received featured content items is greater than the predetermined number of featured content items, formatting hypertext documents to include at least one featured content item for display, the hypertext document being formatted to display the data of the featured content item with the contents of the hypertext document. Applicants have been unable to locate this subject matter at any location in Yennaco, much less in Col. 10, lines 50-67, reproduced in the Office Action. As a result, applications respectfully submit that Claim 14 and all the claims dependent therefrom remaining in this application (15-18) are also clearly allowable. Many of these claims are

submitted to be allowable for additional reasons. For example, Claim 14 states that the method further comprises formatting the hypertext documents without the featured content items if the number of received feature content items is not greater than the predetermined number of featured content items. This subject matter is clearly not taught or suggested by Yennaco. Likewise regarding Claims 16 and 17.

Claim 20 reads as follows:

A method for updating a database of featured content items, the featured content items having information focused on a specific topic, **each featured content item of the database including an attribute that indicates if the featured content item is of interest or not of interest**, the method comprising:
determining, without user input, if a featured content item has expired;
determining, without user input, if the featured content item is highly rated;
if the featured content item has expired, modifying the attribute to indicate that the featured content item is not of interest; and
if the featured content item has not expired and if the featured content item is highly rated, modifying the attribute to indicate that the featured content item is of interest.
(Emphasis added.)

Yennaco does not disclose featured content in a database that includes an attribute that indicates if the featured content item is of interest or not of interest. While Yennaco does disclose the expiration of help items, Yennaco does not disclose if featured content is highly rated. Yennaco also does not disclose that if a featured content has expired, modifying the attribute to indicate that the featured content item is not of interest; much less if the featured content item has not expired and if the featured content item is highly rated, modifying the attribute to indicate that the featured content item is of interest. In this regard, applicants have carefully reviewed Yennaco and have been unable to locate the highlighted subject matter, particularly when considered as a whole. It is clearly not disclosed in the portions of Yennaco

referenced in the Office Action. As a result, applicants respectfully submit that Claim 20 and all of the claims dependent from Claim 20 remaining in this application (Claims 21-23) are clearly allowable. With regard to the dependent claims, applicants respectfully submit that they include additional features that, when considered in combination with the subject matter of Claim 20, are also not disclosed by Yennaco. For example, Claim 22 recites determining if the featured content item has been displayed more than a predetermined number of times and, if the featured content item has not expired and if the featured content item has been displayed more than a predetermined number of times, modifying the attribute to indicate that the featured content item is of interest. Yennaco does not teach, disclose, or even remotely suggest this subject matter.

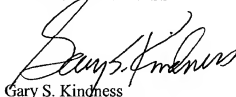
Conclusion

In view of the foregoing remarks, applicants respectfully submit that all of the remaining claims in this application are allowable. Consequently, early and favorable action allowing these claims and passing this application to issue is respectfully solicited.

If the Examiner has any remaining questions, the Examiner is invited to contact applicants' attorney at the number set forth below.

Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}



Gary S. Kindness
Registration No. 22,178
Direct Dial No. 206.695.1702

GSK.aew

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{LLP}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100